

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

and

SIERRA CLUB,

Intervenor-Plaintiff,

v.

DTE ENERGY COMPANY AND
DETROIT EDISON COMPANY,

Defendants.

Civil Action No.
2:10-cv-13101-BAF-RSW

Judge Bernard A. Friedman

Magistrate Judge R. Steven
Whalen

**JOINT MOTION AND BRIEF FOR PERMISSION
TO FILE ENLARGED BRIEFS**

On May 22, 2020, Plaintiff-Intervenor Sierra Club filed a motion to enter an agreement (“Separate Agreement”) between Sierra Club and Defendants DTE Energy Company and Detroit Edison Company (collectively “DTE”). *See* Doc. 267. As noted in prior filings, the United States anticipates filing a response to Sierra Club’s motion and Sierra Club anticipates filing a reply in support. The Court set the deadlines for these briefs at Doc. 273.

The United States and Sierra Club jointly ask for five additional pages for each of their upcoming briefs, so that the United States would have 30 pages for its

brief and Sierra Club 12 pages for its brief.¹ This extension is requested because there are multiple novel issues to be briefed. The United States and Sierra Club believe that further discussion would be useful to the Court.

DTE has informed counsel that it takes no position on this motion.

BRIEF IN SUPPORT OF MOTION

For their Brief in Support of their Joint Motion for Permission to File Enlarged Briefs, the United States and Sierra Club rely upon the reasons and authority set forth in the Motion.

¹ Sierra Club reserves the right to seek additional pages after reviewing the United States' brief.

Respectfully submitted, this the 30th day of June 2020.

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/s/ Thomas A. Benson

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